

## **REMARKS**

In an Office Action mailed April 2, 2010, claims 1-5, 7-11, and 19-22 were rejected. Herein, claims 3-8, 10, 11, and 20-22 are currently amended, and new claim 26 has been added. No new matter has been added. Additionally, claims 1, 2, 12-19, and 23-25 have been cancelled without prejudice or disclaimer to the subject matter therein. Applicants respectfully request continued examination and reconsideration based on the following remarks.

Initially, Applicants would like to thank the Examiner for indicating that claim 6 contains allowable subject matter.

Additionally, editorial amendments have been made to the specification. No new matter has been added.

### **I. Claim Rejections under 35 U.S.C. 102(b)**

Claims 1-5, 7-11, and 19-22 were rejected under 35 U.S.C. 102(b) as being anticipated by Aoki (US 6,853,750). Applicants respectfully request reconsideration of the above rejection in view of the following remarks.

Claim 3 recites a receiving unit operable to receive first information and second information relating to image processing from one or more transmission devices, that the second information indicates image modification corresponding to an object, that a judging unit makes a judgment based on the first information, and that if the judging unit judges that an image is to be processed and output, an output unit performs the image modification indicated by the second information on the image. Applicants respectfully submit that these features of claim 3 are not disclosed, suggested, or otherwise rendered obvious by Aoki.

Aoki is directed to a video processing device for multiplexing a video stream based upon received ID information. In particular, Aoki discloses a video processing device including a blinking light decoder 104 which converts a blinking light pattern within a video stream into ID information based on a blinking pattern dictionary (Col. 5, Lines 9-13). The converted ID information is then multiplexed into the video stream so as to reconstruct the converted ID

information with the video stream (Col. 5, Lines 20-28). Additionally, the blinking light pattern may originate from a tag 802 located on a subject 803 in the video stream, in which the blinking light pattern transmits ID information indicating that the subject 803 does not want her picture taken. The video processing device then modifies the video stream such that the image of the subject 803 is blacked out, blurred, or masked (Col. 7, Lines 41-57).

In other words, Aoki merely discloses that a single piece of information is used in the processing of the video stream. In this regard, Aoki merely teaches that a single piece of information is multiplexed into the video stream or a single piece of information is used to indicate whether processing should be performed (i.e., the information received from the tag 802 simply indicates that processing should be performed since the subject 803 does not want her picture taken). However, Aoki does not disclose that a second piece of information is used to determine the image modification to be performed, i.e., Aoki contains no disclosure that information received from the tag 802 selects one of blacking out, blurring, or masking the subject 803 as the image modification to be performed.

In contrast to Aoki, the claim 3 requires that two pieces of information be used in combination by a digital camera for performing image processing, i.e., claim 3 requires a judging unit in which first information is used to judge whether or not to perform image processing, and an output unit in which second information is used for determining the image modification to be performed.

In particular, claim 3 recites a receiving unit operable to receive first information and second information relating to image processing from one or more transmission devices, that the second information indicates image modification corresponding to an object, that a judging unit makes a judgment based on the first information, and that if the judging unit judges that an image is to be processed and output, an output unit performs the image modification indicated by the second information on the image.

In view of the above, Applicants respectfully submit that Aoki fails to disclose, suggest, or otherwise render obvious the above-noted features of claim 3. Therefore, claim 3 is patentable over Aoki.

Additionally, the above-noted features of claim 3 achieve an advantageous effect unique to the presently claimed invention in which one of various image modification methods may be selected, based on information received from an object, such that the selected image modification method may be applied to an image of the object regardless of a digital camera user's intentions.

Further, claims 4, 5, 7-11, and 26 are patentable over Aoki based at least on their dependency from claim 3.

Claim 20 has been amended in a manner similar to claim 3. In particular, claim 20 recites a receiving unit operable to receive first information, the first information indicating image processing corresponding to an object, from a first transmission device, and to receive second information from a second transmission device, a judging unit operable to, based on the first information, judge whether an image is to be (i) output without being processed, (ii) processed and output, or (iii) not to be output, and that when the judging unit judges that the image is to be processed and output, an output unit performs image modification indicated by the second information on the image in addition to image processing indicated by the first information. Applicants respectfully submit that these features of claim 20 are not disclosed, suggested, or otherwise rendered obvious by Aoki for reasons similar to those discussed above with respect to claim 3. Therefore, claim 20 is patentable over Aoki.

Further, claims 21 and 22 are patentable over Aoki based at least on their dependency from claim 20.

## **II. Allowable Subject Matter**

Claim 6 was objected to as being dependent on rejected base claim 1. Applicants respectfully request that the objection to claim 6 be withdrawn based on its dependency from claim 1.

## **III. Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-11, 20-22, and 26 are in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels that there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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